

CITY UTILITIES COMMITTEE

MINUTES

SEPTEMBER 9, 2008

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, September 9, 2008 at 9:26 a.m.**, in Committee Room #2. The following members were present:

The Honorable Carla Smith, Chair
The Honorable Ivory L. Young, Jr.
The Honorable Natalyn M. Archibong
The Honorable Howard Shook
The Honorable Clair Muller

The following member was absent:

The Honorable Ceasar C. Mitchell, Vice-Chair

Others present at the meeting were: Marc Goncher, M. Theresa Stewart, Renee Sheperd and Stephanie Grant, Law Department; Deputy Commissioners George Barnes and Sheila Pierce Department of Watershed Management; Madelyn Grant Department of Public Works; Cathy Martin, Office of Procurement; members of the public, press and Council Staff.

Chair Smith called the meeting to order at 9:27 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF THE AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. COMMENTS FROM THE PUBLIC**
- D. RESOLUTIONS**

08-R-1714 (1) A Resolution by City Utilities Committee authorizing the Mayor or designee to enter into Amendment Agreement No. 3 to Encumber Phase Five (5) Funding in the amount \$16,078,552.00 for the agreement with Atlanta CSO Constructors, JV, FC-7646-03, West Area CSO Storage Tunnel and Pumping Station, on behalf of the Department of Watershed Management; all contracted work will be charged to and paid from Fund Department Organization and

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RESOLUTIONS (CONT'D)

Account Number: 5052 (Water & Wastewater Revenue Fund) 170215 DWM Wastewater Sewer Repair – 5414002 (Facilities other than Buildings/Infrastructure – CIP) 4333000 (New Sewer Services) and PTAE0 Funding Source 17102066/102 – Q38I02679999/505221391/5414002/COA; and for other purposes.

(Councilmember Shook made a motion to approve.)

FAVORABLE

- 08-R-1715 (2) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to Shaw Environmental, Inc./Aim Partners, PLC, Joint Venture for FC-7619-03F, Annual Contract for Architectural and Engineering Services – Combined Sewer Overflow (CSO) Monitoring, Sampling and Reporting, on behalf of the Department of Watershed Management, in an amount not to exceed \$30,000.00; all contracted work will be charged to and paid from Fund Department Organization and Account Number that all contracted work will be charged to and paid from Fund Department Organization and Account Number: 5051 (Water and Wastewater Revenue Fund) 170201 (DWM Wastewater Treatment and Collections) 5222003 (Repair and Maintenance-Other) 4310000 (Sanitary Administration); and for other purposes.

(Councilmember Shook made a motion to approve.)

FAVORABLE

E. PAPERS HELD IN COMMITTEE

- 06-O-0937 (1) An Ordinance by Councilmember Clair Muller to amend Article VII of Chapter 74 entitled “**Riparian Buffer Requirements**”; to officially change the administrating Department to Watershed Management, to streamline the review process and clarify the Public Notice Requirements; and for other purposes. **(Held 4/25/06 for further review by the Department of Watershed Management)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-R-1214 (2) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to Jacobs/PRAD/PBS & J, Joint Venture, for FC-7619-03D, Annual Contract for Architectural and Engineering Services, White Paper Study for the Policy Level Analysis of Security Options for Drinking Water Assets, in an amount not to exceed \$48,250.48; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Professional Services) Q12001 (Watershed Security); and for other purposes. **(Held 6/12/07 at the request of Councilmember Shook for further review.)**

HELD

- 07-O-1521 (3) An Ordinance by Councilmember Natalyn M. Archibong to amend Chapter 138 of the Code of Ordinances of the City of Atlanta so as to create a new Article VIII to be entitled "Outdoor Dining Areas"; to amend Article II of Chapter 138 so as to create a new Division 8 to be entitled "Outdoor Dining Areas"; to establish procedures for the authorization of restaurants that wish to provide Outdoor Dining Services; and for other purposes. **(Held 7/31/07) (Work sessions held 9/13/07 & 10/12/07)**

HELD

- 07-O-2505 (4) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Mary Norwood, Joyce Sheperd, Anne Fauver, Natalyn M. Archibong, Clair Muller, Caesar C. Mitchell and Ivory L. Young, Jr. amending Section 130-84 (Rates and Charges) of the Code of Ordinances of the City of Atlanta for the purpose of eliminating the Solid Waste Frontage Fee; and for other purposes. **(Amended and held 11/27/07 for further review.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-2604 (5) An Ordinance by Councilmember Clair Muller to amend Part 15, Section 15-09.004 of the City's Land Subdivision Ordinance in the City of Atlanta's Code of Ordinances for the purpose of defining sanitary sewer connection requirements for Land Subdivisions; and for other purposes. **(Held 12/11/07 for further review.)**

HELD

- 07-O-2605 (6) An Ordinance by Councilmember Clair Muller to amend Chapter 154, Utilities, Article IV, Sewer Construction and Assessments, Division 1 of the City Code of Ordinances for the purpose of defining Sanitary Sewer Connection Requirement; and for other purposes. **(Held 12/11/07 for further review.)**

HELD

- 08-O-0481 (7) An Ordinance by City Utilities Committee amending the 2008 (1994, 1997 G. O. Public Improvement Bond Fund) Budget by transferring from and to appropriations in the amount of \$2,023,948.81, to fund the Assets Management and Improvement Program; and for other purposes. **(Held 4/1/08 for further review.)**

HELD

- 08-O-1000 (8) An Ordinance by Committee on Council to amend Chapter 154, Article II (Entitled "Water and Sewer Billing and Collection Procedures"), Section 154-26 of the Code of Ordinances of the City of Atlanta, so as to revise Subsection 154-26(d) which contains maximum yearly term requirements of the Water and Sewer Appeals Board at variance with provisions set out at Section 2-1854 of the Code of Ordinances that establishes terms of Office for Boards and Commissions; to waive conflicting ordinances; and for other purposes. **(Held 5/13/08 for further review.)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-1213 (9) An Ordinance by Councilmembers Clair Muller and Ceasar C. Mitchell to amend Chapter 130, Solid Waste Management Division 1, Section 130-37(b)(6) by deleting subsection (d). **(Held 6/10/08 at the request of the author for further review by the Department of Public Works.)**

HELD

- 08-O-1215 (10) An Ordinance by Councilmembers Clair Muller and Ceasar C. Mitchell requiring the initiation of a Pay-As-You-Throw or Volume-Based Billing Collection Program for Solid Waste Services in the City of Atlanta. **(Held 6/10/08 at the request of the author for further review by the Department of Public Works.)**

HELD

- 08-O-1217 (11) An Ordinance by Councilmember Clair Muller eliminating "Front Footage" billing on Solid Waste Services Bill and adding to the bill an amount for "Common Good Services" citywide for right-of-way cleaning where needed. **(Held 6/10/08 at the request of the author for further review by the Department of Public Works.)**

HELD

- 08-R-1435 (12) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor or designee to issue a **Notice-to Proceed** to Shaw Environmental, Inc./AIM Partners, PLC, Joint Venture ("Shaw/AIM), for FC-7619-03F, Annual Contract for Architectural and Engineering Services, to provide right-of-way acquisition services for one (1) parcel for the Mitchell Street Bridge Project, on behalf of the Department of Public Works, in an amount not to exceed \$79,581.00 with all work to be charged to and paid from Fund, Department, and Account Number: 3128 (2008 Quality of Life Fund) 130308 (DPW Engineering) 100983 (Mitchell Street Viaduct ROW Acq.) 4270000 (Traffic Engineering) and PTAE0 Funding Source 13100983/106/313821776/5410001. **(Councilmember Shook made a motion to approve on substitute.)**

FAVORABLE ON SUBSTITUTE

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PAPERS HELD IN COMMITTEE (CONT'D)

08-R-1445 (13) A Resolution by Councilmember Carla Smith authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$ _____ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards _____ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes. **(Held 7/15/08)**

HELD

08-O-1689 (14) An Ordinance by Councilmember Carla Smith authorizing a new appraisal for the purchase by the City of a twelve foot (12') strip of land along the rear property line of 1144 and 1200 Avondale Avenue, lying and being in Land Lot 23 of the 14th District, Fulton County, Georgia; and for other purposes. **(Held 8/26/08 for further review)**

HELD

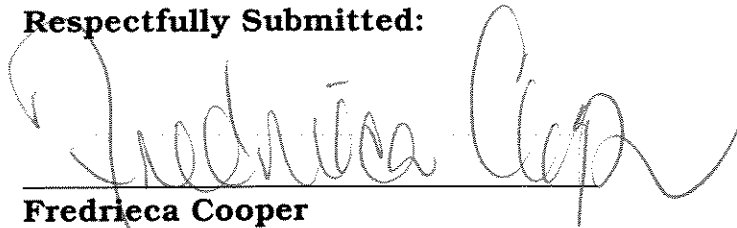
F. REQUESTED ITEM

1. Councilmember Muller requested the Department of Watershed Management present to the committee a discussion on storm water at some date in the future.

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There being no further business to come before the Committee, the meeting was adjourned at 9:35 a.m.

Respectfully Submitted:

A handwritten signature in cursive script, appearing to read "Fredrica Cooper", written over a horizontal line.

Fredrica Cooper
Legislative Assistant

A handwritten signature in cursive script, appearing to read "Alfred Berry, Jr.", written over a horizontal line.

Alfred Berry, Jr.
Research and Policy Analyst

A handwritten signature in cursive script, appearing to read "Carla Smith", written over a horizontal line.

The Honorable Carla Smith, Chair
City Utilities Committee